

**IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF TEXAS  
MARSHALL DIVISION**

EXITEXCHANGE CORP. a Texas corporation	§	
	§	
<i>Plaintiff,</i>	§	
	§	
vs.	§	Case No. 2:13-cv-00396-JRG
	§	
	§	<b>LEAD CASE</b>
	§	
FRIENDFINDER NETWORKS, INC., et al.	§	<b>JURY TRIAL DEMANDED</b>
<i>Defendants.</i>	§	

**JOINT MOTION TO DISMISS WITH PREJUDICE DEFENDANT FRIENDFINDER NETWORKS, INC.**

Plaintiff ExitExchange Corp. ("ExitExchange") and defendant FriendFinder Networks, Inc. (referred to as "FriendFinder"), stipulate that they have reached final agreement on settlement of the claims and counterclaims made in this action and all other claims or counterclaims that might have been brought relating to U.S. Patent 7,353,229, and all related patents and patent applications identified in the settlement agreement, based upon the agreement, consent and approval of the parties, ExitExchange and FriendFinder, through their respective attorneys, further stipulate as follows:

1. This Court has personal jurisdiction over ExitExchange and FriendFinder, and over the subject matter of this action.
2. Each claim made and that could have been made by ExitExchange against FriendFinder, and each counterclaim made and that could have been made by FriendFinder against ExitExchange, in this action is hereby dismissed with prejudice on the basis of the settlement reached, pursuant to Fed. R. Civ. P. 41.
3. Counsel for FriendFinder represent that all copies of the protected information

referenced in the correspondence of March 16, 2014 have been destroyed, sequestered, and/or returned.

4. Each party shall bear its own costs and attorneys' fees.
5. The Court shall retain jurisdiction over this matter to insure that the terms and conditions of the parties' settlement agreement are honored and enforced.

Respectfully submitted,

Dated: May 7, 2014

By: /s/ Elizabeth L. DeRieux  
Susan D. Pitchford  
(*To Be Admitted Pro Hac Vice*)  
Kevin L. Russell  
(*To Be Admitted Pro Hac Vice*)  
CHERNOFF VILHAUER LLP  
601 SW Second Avenue  
Suite 1600  
Portland, OR 97204  
Telephone: (503) 227-5631  
Facsimile: (503) 278-4373  
Email: [sdp@chernofflaw.com](mailto:sdp@chernofflaw.com)  
Email: [Kevin@chernofflaw.com](mailto:Kevin@chernofflaw.com)

S. Calvin Capshaw  
State Bar No. 03783900  
Elizabeth L. DeRieux  
State Bar No. 05770585  
Jeffrey D. Rambin  
State Bar No. 00791478  
CAPSHAW DERIEUX, L.L.P.  
114 E. Commerce Ave.  
Gladewater, Texas 75647  
Telephone: (903) 236-9800  
Facsimile: (903) 236-8787  
Email: [cicapshaw@capshawlaw.com](mailto:cicapshaw@capshawlaw.com)  
Email: [ederieux@capshawlaw.com](mailto:ederieux@capshawlaw.com)  
Email: [jrambin@capshawlaw.com](mailto:jrambin@capshawlaw.com)

ATTORNEYS FOR PLAINTIFF  
EXITEXCHANGE, CORP.

Dated: May 7, 2014

Respectfully submitted,

By: /s/Todd M. Noshier by perm. ELD  
Frank M. Gasparo (Admitted Pro Hac Vice)  
Todd M. Noshier (Admitted Pro Hac Vice)  
Venable LLP  
1270 Avenue of the Americas  
Twenty-Fourth Floor  
New York, New York 10020  
Telephone: (212) 307-5500  
Facsimile: (212) 307-5598  
[fmgasparo@venable.com](mailto:fmgasparo@venable.com)  
[tmnoshier@venable.com](mailto:tmnoshier@venable.com)

Andrew W. Stinson  
State Bar No. 24028013  
RAMEY & FLOCK PC  
100 East Ferguson, Suite 500  
Tyler, Texas 75702  
Telephone: (903) 597-3301  
Facsimile: (903) 597-2413  
[astinson@rameyflock.com](mailto:astinson@rameyflock.com)

Tamany Vinson Bentz (Admitted Pro Hac Vice)  
Venable LLP - Los Angeles  
2049 Century Park East, Suite 2100  
Los Angeles, CA 90067  
Telephone: (310) 229-9900  
Facsimile: (310) 229-9901  
[tjbentz@venable.com](mailto:tjbentz@venable.com)

ATTORNEYS FOR DEFENDANT  
FRIENDFINDER NETWORKS, INC.

**CERTIFICATE OF SERVICE**

The undersigned certifies that the foregoing document was filed electronically in compliance with Local Rule CV-5(a). As such, this document was served this May 7, 2014 on all counsel who are deemed to have consented to electronic service. Local Rule CV-5(a)(3)(A).

*/s/ Elizabeth L. DeRieux*